

NOTICE OF PUBLIC MEETING

TO THE PUBLIC AND RESIDENTS OF VERNAL CITY: Notice is hereby given that the **VERNAL CITY COUNCIL** will hold a regular meeting on *Wednesday, April 5, 2023 at 7:00 p.m.* in the Vernal City Council Chambers at 374 East Main St, Vernal, Utah.

A G E N D A

7:00 P.M.

OPENING CEREMONY

1. Invocation or Uplifting Thought
2. Pledge of Allegiance

STANDING BUSINESS

1. Approval of the Minutes of the Regular Meeting held March 15, 2023

PUBLIC BUSINESS

1. Tri-County Health Update - Kirt Bengé

PUBLIC HEARING

1. Request to Consider Rezoning Property at 72 East and 82 East to 500 South from R-3 Residential Zone to R-4 Residential- Jacob Fleming & Quinton Daniel - Ordinance No. 2023-07 – Gabby Blackburn

POLICY AND LEGISLATION

1. Request Approval of Minor Subdivision for Property Located at 72 East and 82 East to 500 South by Jacob Fleming & Quinton Daniel - Gabby Blackburn
2. Discussion to Rebuild 1500 East Yard Fence and Alterations to Bridge - Tony George
3. Request to Approval of Change Order for Zions Block Utilities – Quinn Bennion
4. Presentation of Discovery Trail Proposals and Selection of Contractor- Quinn Bennion
5. Review and Approve Contractor for Cobblerock and Zions Block Projects - Quinn Bennion
6. Consider Approval of CMGC Agreement with BHI for Value Engineering of Zions and Cobblerock Block Projects – Quinn Bennion
7. Consider Approval of Demolition Bid for 94 E. Main Street -Quinn Bennion
8. Consider Creation of SAA2 for Cobblerock Block and Set Public Hearing Date for May 17th - Quinn Bennion
9. Consider Approval of Purchasing Policy -Ordinance No. 2023-06- Quinn Bennion
10. Discussion about Summer City Intern – Quinn Bennion
11. Discussion about District Heating & Cooling System Demonstration Project – Quinn Bennion

CLOSED SESSION

1. Discussion of the Character, Professional Competence, or Physical Or Mental Health of an Individual.
2. Strategy Sessions to Discuss the Purchase, Exchange, or Lease of Real Property, Including any Form of a Water Right or Water Shares.

POLICY AND LEGISLATION (Continued)

12. Review of RFP for Sale of City Owned Building at 43 S. 100 W - Quinn Bennion
13. Discussion and Approval of City Attorney Process- Quinn Bennion

ADJOURN

NOTE: In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify Quinn Bennion, 374 East Main, Vernal, Utah 84078 or phone (435)789-2255 at least three days before the meeting.

MEMORANDUM

TO: Mayor & City Council

FROM: Quinn Bennion, City Manager

RE: *Agenda Items for April 5, 2023 Council Meeting*

PUBLIC BUSINESS

1. **Tri-County Health Update** – Kirk Bengé

PUBLIC HEARING

1. **Request to consider rezoning property at 72 East and 82 East on 500 South from R-3 residential zone to R-4 residential – Jacob Fleming & Quinton Daniel** – Gabby Blackburn. This item was reviewed by Planning Commission at a special meeting last week. The Commission recommends approval.

POLICY AND LEGISLATION

1. **Request approval of Minor Subdivision for property located at 72 East and 82 East on 500 South by Jacob Fleming & Quinton Daniel** – Gabby Blackburn. This item is related to the rezone of the same property as part of the public hearing.
2. **Discussion to rebuild 1500 East yard fence and alterations to bridge** – Tony George. Mr. George approached the City and County with requests to prepare for possible flooding along Ashley Creek. He owns property at 500 N at Ashley Creek and runs cattle on the land. Mr. George requests to place fence on City owned property across the creek and on the slope. He will present his request to City Council at the meeting.
3. **Request to Consider Change Order for Zions Block Utilities – Quinn Bennion:** The change order will include additions to the current contract the City has with Backhoe Supremo (Foston Chivers) to accomplish work related to the storm drain that needs to be done before the parking lot is constructed. It includes supplying and installing
 - a 2" water connection for the City to irrigate the vegetation with the new parking lot;
 - an additional run of 8" pipe with two plastic boxes to capture an additional roof drain;
 - three new catch basins and associated piping to collect stormwater from the future parking lot;
 - a storm water sump (6' perforated manhole surrounded with gravel);
 - an infiltration system (approximately 45' x 90') to dissipate stormwater into the ground.
4. **Presentation of Discovery Trail Proposals and selection of contractor(s)** – Quinn Bennion. The City received two grants to enable the Discovery Trail to move forward to design and bid. The project was bid in three phases: concrete work along 1500 S., trail pavement and fence. A contractor can bid one, two or three of the phases. This bid method recognizes that smaller contractors in the area

specialize in one or more areas. The bid opening for the trail bids is Tuesday afternoon. The bids will be reviewed and presented to City Council for action.

5. **Review and Approve Contractor for Cobblerock and Zions Block projects** – Quinn Bennion. The City bid the large downtown projects: Zions and Cobblerock Blocks. The bids were opened in early March. One bid was received from BHI. Staff recommends City Council award BHI the projects. City staff will work with BHI staff through a CMGC agreement to scope the projects into the City anticipated budget. It is anticipated that both projects will be constructed this summer.
6. **Consider approval of CMGC (construction management general contractor) Agreement with BHI for value engineering of Zions and Cobblerock block projects** – Quinn Bennion. City staff will work with BHI staff to review and redesign where necessary to reduce the bid amount to fit within the project budget. The CMGC process is typically pre-bid, but this project will be post-bid to value engineer the project. Funding is available for the completion of both projects at about 70% grant and 30% general fund. It is anticipated that both projects will be constructed this summer. At a future City Council meeting, the GMP (greatest maximum price) will be presented for both projects.
7. **Consider approval of demolition bid for 94 E. Main Street** – Quinn Bennion. The north Showalter building demolition bids were received Monday, April 3. There were three bids received. Council will review the bids and consider approval of a demolition bid for the Showalter building and shed in the yard.
8. **Consider creation of SAA2 (special assessment area) for Cobblerock Block and set public hearing date for May 17th** – Quinn Bennion. SAA1 was approved by City Council in early 2023. SAA2 encompasses the Cobblerock Block properties. This is the first step in the process. The properties providing permanent easements will be a part of the SAA, but not pay into the fund as the property provides the equivalent value. It is recommended that the hearing for the SAA be May 17th City Council meeting. All property owners within the SAA2 will receive notice and description.
9. **Consider approval of Purchasing Policy – Ordinance No. 2023-06 – Quinn Bennion.** A city staff group has researched and drafted a new purchasing policy for City Council to approve. We desired to create a policy that provided sufficient oversight and process, yet kept bureaucracy within reason. The new policy clarifies the approval amounts, the bid processes, used vehicle process and State procurement bids. Council's input is sought regarding the policy. The approvals were split for items within the budget and those not included in the annual budget.
10. **Discussion about a summer city intern** – Quinn Bennion. It is recommended to hire a summer college intern similar to the last two years. Approval is sought by City Council as the position is not included in the annual FY2023 budget.
11. **Discussion about district heating and cooling system demonstration project** – Quinn Bennion. City staff has been working with a consultant to complete the feasibility study. During the process, the 100 S. sewer project is ready to begin construction. There is a possible demonstration project that can be pursued to combine the city's geothermal field with another nearby building. Guidance is sought regarding this possibility.

CLOSED SESSION – Strategy to discuss property and professional competence of an individual

12. **Review of RFP for sale of City owned building at 43 S. 100 W.** – Quinn Bennion. The RFP has not been issued by the City. There are alternatives ideas being discussed for the property. Council will discuss the process again at the meeting.
13. **Discussion and approval of City Attorney process** – Quinn Bennion

**MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD
MARCH 15, 2023** at 7:00 p.m. in the Vernal City Council room, 374 East Main,
Vernal, Utah 84078.

PRESENT: Councilmembers Nicholas Porter, Robin O'Driscoll, Ted Munford, Dave Everett, and Corey Foley and Mayor Doug Hammond.

WELCOME: Mayor Doug Hammond welcomed everyone to the meeting.

UPLIFTING THOUGHT: The invocation was given by Councilmember Dave Everett.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Councilmember Nick Porter.

APPROVAL OF CITY COUNCIL REGULAR MEETING MINUTES OF MARCH 1, 2023:
Councilmember Robin O'Driscoll moved to approve the minutes of March 1, 2023. Councilmember Nick Porter seconded the motion. The motion passed with Councilmembers Everett, O'Driscoll, Munford, Foley and Porter voting in favor.

REQUEST FOR FUNDING FOR JUNIOR LIVESTOCK SHOW: Cindy Birchell explained the Junior Livestock Show brings a lot of visitors to the area with 350 participants each year with around a third of them being from out of the area. Some of the youth also get to practice judging and last year they competed in Denver. She asked the Council to consider helping with this event again this year. Councilmember Ted Munford asked if this item had been budgeted. Quinn Bennion answered yes in the amount of \$750 and the request is for more than that. Councilmember Ted Munford asked why they are asking for more than last year. Cindy Birchell stated their costs have gone up. *Councilmember Dave Everett moved to approve the Junior Livestock sponsorship in the amount of \$750. Councilmember Ted Munford seconded the motion. The motion passed with the following roll call vote:*

Councilmember Munford.....aye;
Councilmember O'Driscoll.....aye;
Councilmember Everettaye;
Councilmember Porteraye;
Councilmember Foley.....aye.

REQUEST FOR FUNDING FOR YOUTH GIRLS FAST PITCH EVENT: Tad Richards, community relations director with D-1 prospects, explained that they host girls sporting events which will bring 2700 visitors for the weekend in July. This brings a large economic value to the City. Uintah County provided marketing support last year and they recommended the City be approached for support as well. Tad Richards stated they are asking for \$2500 to be close to the break even point. The total cost to produce and host this event is \$31,000. The entry fees cover around 80% of that cost. The biggest expense is umpires. Councilmember Ted Munford noted that the \$2500 request would wipe out the budget. Tad Richards stated any amount would be beneficial. *Councilmember Ted Munford moved to support the girl's softball tournament in the*

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD MARCH 15, 2023

amount of \$750. Councilmember Corey Foley seconded the motion. The motion passed with the following roll call vote:

Councilmember Munford.....aye;
Councilmember O'Driscoll.....aye;
Councilmember Everettaye;
Councilmember Porteraye;
Councilmember Foley.....aye.

REQUEST FOR FUNDING FOR ROCK THE RIDE EVENTS – SHANE COOK: Shane Cook reported that the 1st year for this event averaged around 300 people for each concert. The purpose is to give local talent a place to perform and this year the time frame will be expanded by a month. The location has to be changed due to the construction on Vernal Avenue so it will be moved to the outdoor stage at the library. The funding has been set up as a non-profit, and the funds are used to pay the sound engineers and headliner bands. Shane Cook asked the Council to support this event in the amount of \$1000. Councilmember Ted Munford asked if it will be moved back to Vernal Avenue next year. Shane Cook answered yes as it is more fun as a street show. Councilmember Nick Porter stated this is a cool event that brings diversity and talent to the area and moved to support this event in the amount of \$1000 as requested. Councilmember Dave Everett seconded the motion. The motion passed with the following roll call vote:

Councilmember Munford.....aye;
Councilmember O'Driscoll.....aye;
Councilmember Everettaye;
Councilmember Porteraye;
Councilmember Foley.....aye.

MINOR SUBDIVISION REQUEST FROM BRAD MURRAY FOR PROPERTY AT 987 SOUTH 500 WEST: Gabby Blackburn explained that agricultural property can be split and recorded as long as it remains agricultural and no structures can be built. In this case, the property owner does want to allow it to be a buildable lot. The Planning Commission is recommending approval of this lot split from one parcel to two parcels. The back lot does not have the frontage requirement, however, the RA-1 zone does allow flag lots and the entrance will be 54 feet wide. Councilmember Corey Foley stated he spoke with Brad Murray and he is excited to have a home built there. Councilmember Ted Munford stated he is in favor of letting property owners do what they wish with their property as much as possible. Councilmember Corey Foley moved to approve the minor subdivision for 987 South 500 West. Councilmember Ted Munford seconded the motion. The motion passed with the following roll call vote:

Councilmember Munford.....aye;
Councilmember O'Driscoll.....aye;
Councilmember Everettaye;
Councilmember Porteraye;

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD MARCH 15, 2023

Councilmember Foley..... aye.

DISCUSSION REGARDING INSTALLATION OF A LED PEDESTRIAN ACTUATED CROSSING SIGN AT ROBINWOOD LANE AND 500 WEST: Quinn Bennion explained the Public Safety Committee looked at this item to help with the safety of the students walking to Discovery School. There have been multiple discussions on the traffic issues caused by parents picking up and dropping off their children. Several items will be implemented to help including the Discovery trail. Adding an LED pedestrian actuated crossing sign will help with the children walking from the north of the school. The cost is about \$4000 each. Councilmember Ted Munford stated he is on the Public Safety Committee and is in favor of this light as it is a safety issue for the kids. One concern is making sure the kids know how to use the signs. Councilmember Corey Foley stated he wants this project and is willing to put the first \$1000 toward this project. Councilmember Nick Porter stated he would rather see private funds used for traffic control or the volunteer crossing guard and the City should pay for the sign. Carl Morton stated this capital project can be added to the upcoming budget. Quinn Bennion noted that other schools want similar things and one approach is to have the neighborhood partner with the City. Councilmember Robin O'Driscoll stated this is a unique situation with a main street and a new subdivision adding more school age kids walking to school. Councilmember Nick Porter agreed that the other schools are on streets where the speed has to be lower while Discovery is off 500 West where the traffic goes faster. Councilmember Corey Foley suggested the City pay a certain amount, say \$4500, and the neighborhood pay the rest. Quinn Bennion explained that the current signage meets the standard crossing requirements so this new signage would be extra. Councilmember Ted Munford noted this is a mechanism to add a greater benefit and this is a unique situation where the road does not border the school. Councilmember Nick Porter agreed with community participation, as long as the City pays a larger amount. After further discussion, *Councilmember Corey Foley moved to approve the purchase and installation of an LED pedestrian actuated sign across 500 West by Robinwood Lane with the intention if the bid is over \$8000 to consider the option to have the community help pay as this is an upgrade to the signage already there. Councilmember Robin O'Driscoll seconded the motion. The motion passed with the following roll call vote:*

Councilmember Munford.....aye;

Councilmember O'Driscoll.....aye;

Councilmember Everettaye;

Councilmember Porteraye;

Councilmember Foley..... aye.

Councilmember Robin O'Driscoll asked who does the crossing guard duties. Cassie Robins answered that the Community Council for the Discovery PTA has volunteers who help.

REQUEST TO AMEND THE VERNAL CITY MUNICIPAL CODE, SECTIONS 16.26.110 - PARKING SPACE REQUIREMENTS – DWELLINGS, 16.27.060 – MINIMUM NUMBER OF TREES AND 16.27.070 – MINIMUM AREA REQUIREMENTS - ORD NO 2023-02: Gabby Blackburn explained that this ordinance only addresses the parking and

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD MARCH 15, 2023

landscaping in the R-4 zone which is the most dense residential zone. It was brought up that Vernal City has a higher parking requirement than the standard which is two cars per household. The City's requirement is 2.5 spaces per unit. The Planning Commission thought maybe there should be a little give on both the parking and landscaping. The proposal is for developments with over four units to require at least two parking spaces per unit. Gabby Blackburn displayed the calculations for the parking if the required spaces are reduced. She noted that visitor parking is still needed. Another option is to change the landscaping requirement although open space is needed to deal with issues with density. The higher the density, the more green space is required. The City's standard of 30% is a little high compared to other cities in the State of Utah. The proposed change is to go to 25%. Examples were displayed to show the difference. She suggested the Council consider other amounts such as 28%, or leave it at 30%. Councilmember Ted Munford stated a lower green scape and less parking benefits the developer. It is not fun trying to find parking and this area has great outdoorsy recreation so less green space does not work for the dynamic of the community. Councilmember Nick Porter stated that Brandon Parker, the chair of the Planning Commission and manager of Silver Pines condos, would be very interested in the numbers being presented tonight. He stated he lived in Silver Pines and the landscaping is very important. Councilmember Corey Foley agreed this is a good minimum standard. Gabby Blackburn suggested the Planning Commission look at these regulations again. Mayor Doug Hammond tabled this item and asked the Planning Commission to review it again.

Staff Reports

Budget:

Quinn Bennion presented the schedule for the FY2024 budget meetings. The first work session will be April 26th.

Rural Community Broadband Grant:

Quinn Bennion explained the City was awarded \$15,000 from GoEd and Utah Economic Development for a broadband plan. The proposal is to explore what will be needed to add public wifi in the downtown area.

Abby's Café request.

Councilmember Dave Everett explained that Abby's Café brought in gravel and spread it with the use of a skid steer in the City's parking lot at a cost of \$1000. She is asking if the City will consider reimbursing her.

CLOSED SESSION: *Councilmember Corey Foley moved to go into closed session to hold a strategy sessions to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares and return to open session once the discussion is completed. Councilmember Ted Munford seconded the motion. The motion passed with the following roll call vote:*

Councilmember Munford.....aye;

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD MARCH 15, 2023

175 *Councilmember O'Driscoll.....aye;*
176 *Councilmember Everettaye;*
177 *Councilmember Porteraye;*
178 *Councilmember Foley.....aye.*

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180 **RECONVENE INTO OPEN SESSION AND ADJOURN:** The Council reconvened into open
181 session. There being no further business; *Councilmember Nick Porter moved to adjourn.*
182 *Councilmember Dave Everett seconded the motion. The motion passed with a unanimous vote*
183 *and the meeting was declared adjourned.*

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Mayor Doug Hammond

ATTEST:

Roxanne Behunin, City Recorder

(S E A L)

**ORDINANCE NO. 2023-07
FLEMING / DANIEL REZONE
PAGE 1**

AN ORDINANCE AMENDING THE OFFICIAL VERNAL CITY ZONING MAP BY THE REZONING OF PROPERTY.

WHEREAS, the City Council finds that the regulation of zoning within the City is necessary for orderly growth within the community, and;

WHEREAS, the City Council deems it to be in the best interest of the health, safety and welfare of the citizens to incorporate the following changes to the provisions of the Vernal City Zoning Map, and;

WHEREAS, the City Council has received input from the public at large in duly noticed open meetings, and has considered and discussed the advantages and disadvantages of such zoning amendment;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF VERNAL CITY, UTAH AS FOLLOWS:

SECTION 1. Description. The following parcels of property in Vernal, Utah are rezoned from R-3 (Residential Zone) to R-4 (Residential Zone):

ADDRESS: 72 EAST AND 82 EAST TO 500 SOUTH, VERNAL, UTAH

PARCEL NUMBERS: 050520053, 050520052

LEGAL DESCRIPTION: LOT 3: BEG N 87*44'36"E 364.50 FEET FROM THENCE N/4 CORNER OF SECTION 26, T4S, R21E, SLB&M AND S 01*46'55"E 33.00 FEET TO THE TRUE PLACE OF BEGINNING, THENCE N 87*44'36"E 12.50 FEET; THENCE S 01*46'55"E 160.00 FEET; THENCE N 87*44'36"E 151.00 FEET; THENCE S 01*46'55"E 130.81 FEET; THENCE S 87*44'36"W 163.50 FEET; THENCE N 01*46'55"W 290.81 FEET TO PLACE OF BEGINNING. (INCLUDES 1/2 OF THE R/W WIDTH OF 25 FEET TO THE COMMON CENTERPOINT BETWEEN LOT 3 AND LOT 4) CONT 0.4910 ACRE, M/L.

LOT 4: BEG N 87*44'36"E 364.50 FEET FROM THE N/4 COR OF SECTION 26, T4S, R21E, SLB&M, AND S 01*46'55"E 33.00 FEET TO THE TRUE POINT OF BEGINNING

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FLEMING / DANIEL REZONE
PAGE 2

WHICH IS ON THE CENTER LINE OF THE 25 FEET R/W AND 500 SOUTH ST, THENCE S 01*46'55"E 290.81 FEET; THENCE S 87*44'36"W 98.20 FEET; THENCE N 01*46'55"W 105.55 FEET; THENCE S 87*44'36"W 50.15 FEET; THENCE N 01*46'55"W 25.26 FEET; THENCE N 87*44'36"E 135.85 FEET; THENCE N 01*46'55"W 160.00 FEET; THENCE N 87*44'36"E 12.50 FEET TO TRUE POINT OF BEGINNING. CONT 0.3699 ACRE, M/L.

SECTION 2. Repealer. All former ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance or of the code are hereby repealed.

SECTION 3. Severability. The provisions of this ordinance shall be severable and if any provision thereof or the application of such provision under any circumstances is held invalid and it shall not affect the validity of any other provision of this ordinance or the application in a different circumstance.

SECTION 4. Effective Date. This ordinance shall take effect the day after publication the ____ day of _____, 2023.

PASSED, ADOPTED AND ORDERED published this ____ day of _____, 2023.

ATTEST:

Mayor Doug Hammond

Roxanne Behunin, City Recorder

(S E A L)

Date of Publication: _____

ORDINANCE NO. 2023-07
FLEMING / DANIEL REZONE
PAGE 3

Vernal City Planning Commission

Staff Report

3/8/23

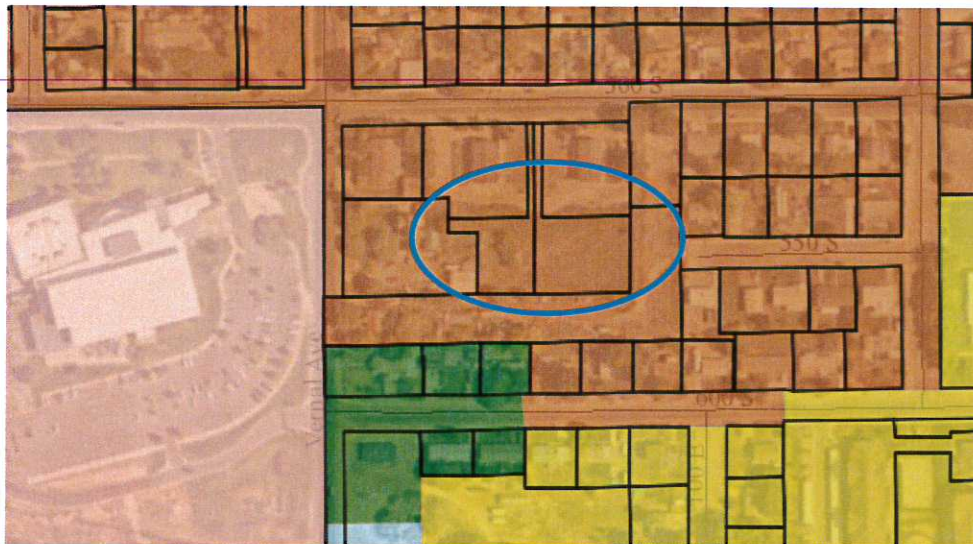
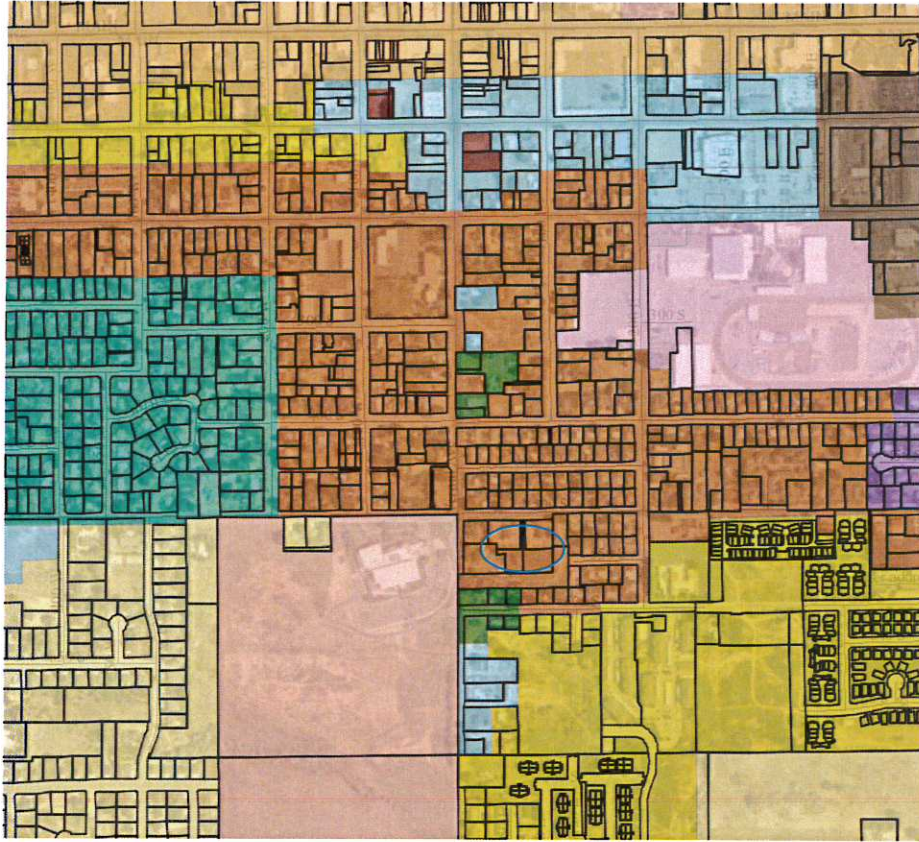
Re-Zone 72 E 500 S 82 E 500 S

Background: These two lots were illegally subdivided and now neither lot has enough frontage to be buildable. The owner would like to rezone these lots to R4. A Minor Sub/ Lot Line Adj is required to make it buildable.

Location:



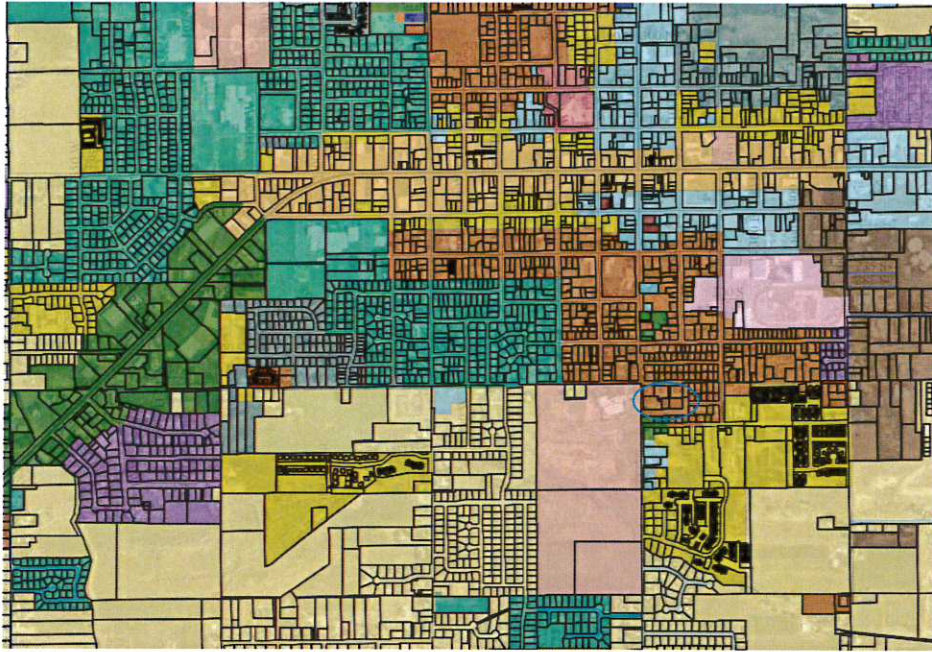
Zoning: Currently R3, Requesting R4



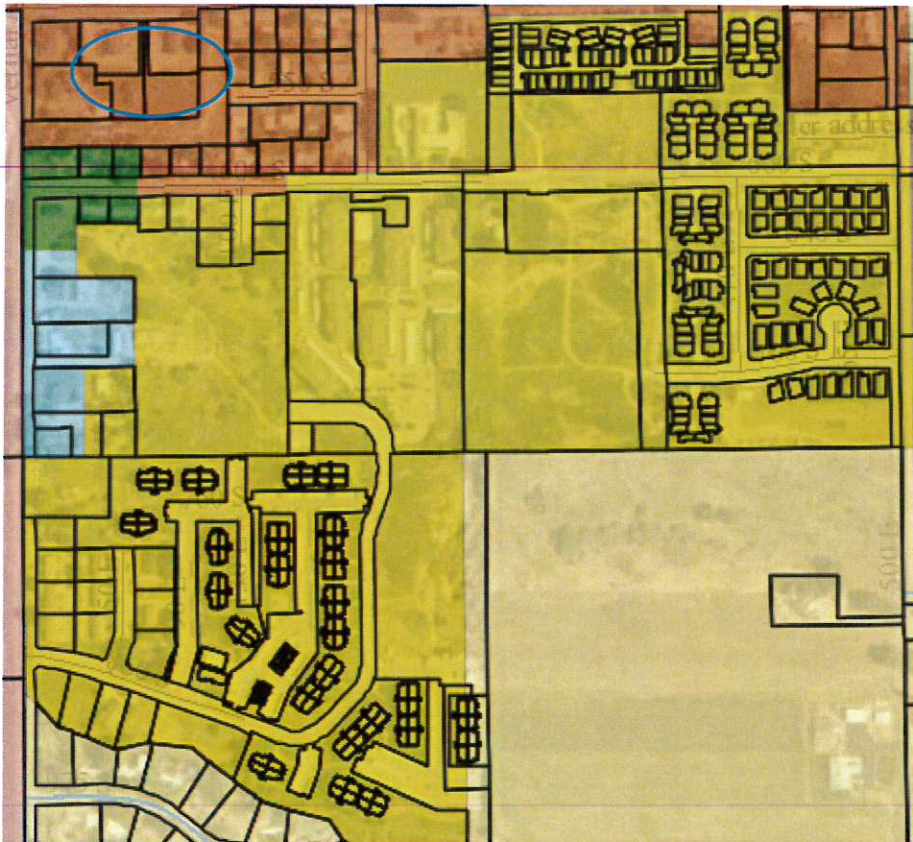
1,600 feet by road to nearest R4 to south (250' as the crow flies)

1,000' by road to the nearest R4 to the east

Vernal City Zoning Map: R4 is Dark Yellow // R3 is Orange



R4/R3 in the area



R3 uses

USES	R-3
Bed and breakfast	C
Boarding houses	C
Churches	P
Day care nursery	P
Dwelling, internal additional	P
Fences not exceeding seven feet	P
Group dwellings in accordance with Chapter 16.20	P
Home occupations in accordance with 16.22	P
Hospitals and clinics	C
Household pets not exceeding 4	P
Mortuary	C
Portable Storage Container	P
Professional office buildings	C
PRUD	P
Public parking lots	C
Public utility buildings and facilities	P
Rest home	P
Residential facilities for the elderly	P
Residential facilities for the handicapped	P
Schools	P
Signs, monument	C
Signs pertaining to sale or lease of property or professional offices	P
Single family dwelling	P
Temporary storage buildings for construction	P
Tower, amateur radio	P
Tower, low power radio	C
Tower, small cellular	P
Two family dwellings	P



R4 uses

USES	R-4
Bed and breakfast	C
Boarding houses	C
Churches	P
Day care nursery	P
Dwelling, internal additional	P
Fences not exceeding seven feet	P
Group dwellings in accordance with Chapter 16.20	P
Home occupations in accordance with 16.22	P
Hospitals and clinics	P
Household pets not exceeding 4	P
Mortuary	P
Multiple family dwellings containing thirty (30) or less units	P
Multiple family dwellings containing more than thirty (30) units	C
Portable Storage Container	P
Professional office buildings or group of office buildings	P
PRUD	P
Public parking lots	P
Public utility buildings and facilities	P
Rest home	P
Residential facilities for the elderly	P
Residential facilities for the handicapped	P
Retail establishments	N
Row House	P
Schools	P
Signs, monument	C
Signs - non-flashing, flat	P
Signs pertaining to sale or lease of property or professional offices	P
Single family dwelling	P
Temporary storage buildings for construction	P
Tower, amateur radio	P
Tower, low power radio	C
Tower, small cellular	P
Two family dwellings	P
Urban farm	P
Urban livestock	C
Uses ruled to be similar by the Planning Commission	P
Wedding chapel	P
Wholesale commercial establishment	N

Notes:

- Rezoning this property will not make it buildable. A lot line adjustment/ minor subdivision or combination will still need to be done in order to have enough access.
- Rezoning these lots will allow for multi-family dwelling units under 30 units without any prior approvals, however, there are requirements for multi-family such as parking and landscaping. After running some rough calculations I believe the maximum number of units any developer could get on lots this size would be around 11-18 units depending on

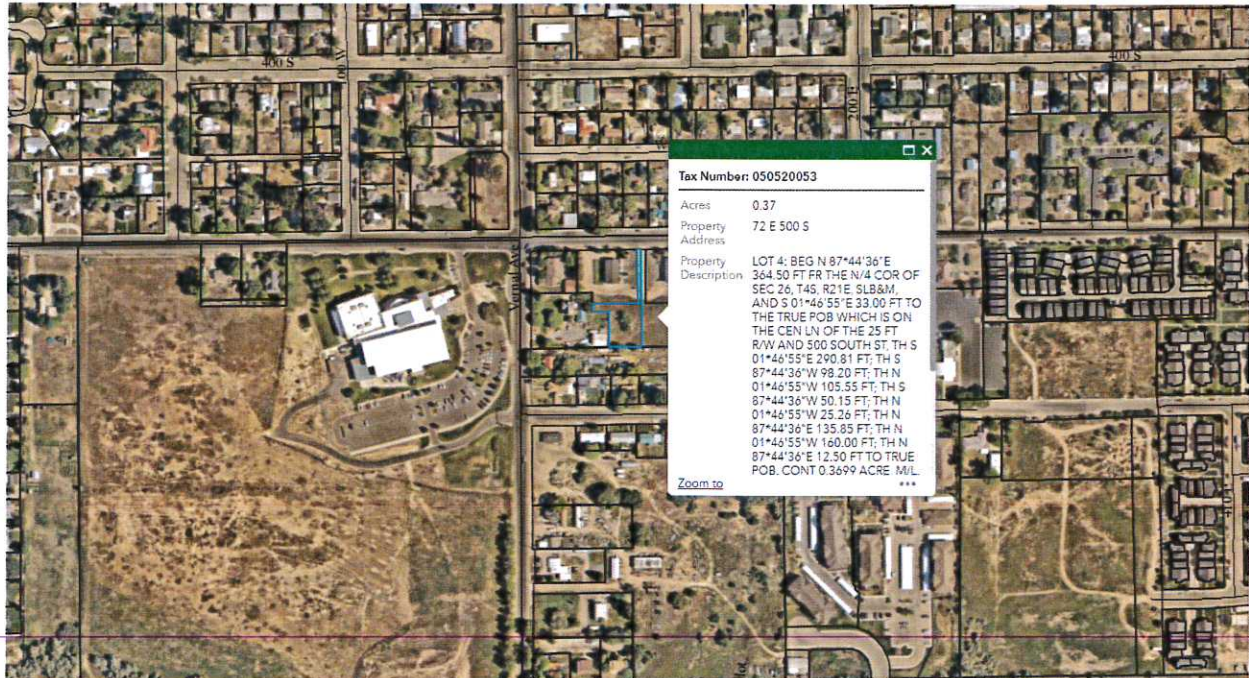
if they combined the lots or kept them separate. Our Parking and Landscaping requirements in the R4 zone are currently under review, however, discussions have leaned towards not lowering parking requirements and only slightly lowering landscaping (from 30% to 28%)

- This rezone is not approved for any structures to be built. All uses and structures will need to comply with current Vernal City zoning regulations as well as abide by all laws, easements and other legal processes.

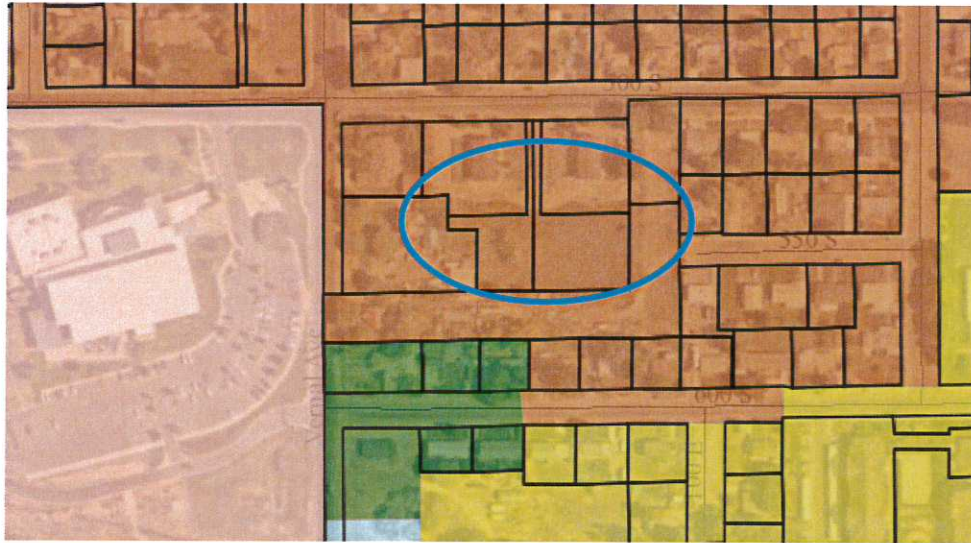
Minor Subdivision 72 E 500 S 82 E 500 S

Background: These parcels were broken out without going through the minor subdivision process. The lots were then sold twice and the current owner is now going through the process to make these lots buildable.

Location: 72 E 500S and 82 E 500 S Parcel 05:052:0053 and 05:052:0052



Zone: R3 – Zoning amendment to R4 in process



Approx 25' of frontage shown in blue. The minimum width for a single family dwelling in the

R3 zone: 65' for single family, 90' for a duplex, 90' for a triplex and 100' for a fourplex.

R4 zone: 65' plus 5' for each additional dwelling unit up to eighty feet.

This is not enough for a typical R3 zone lot, however, in section 16.24.060 it specifies that residential use of a flag lot or panhandle shaped lot in residential zones shall be permitted providing there is no other way to subdivide the parcel.

The interior of each flag lot would need to meet the standards of a standard lot for width and area requirements:

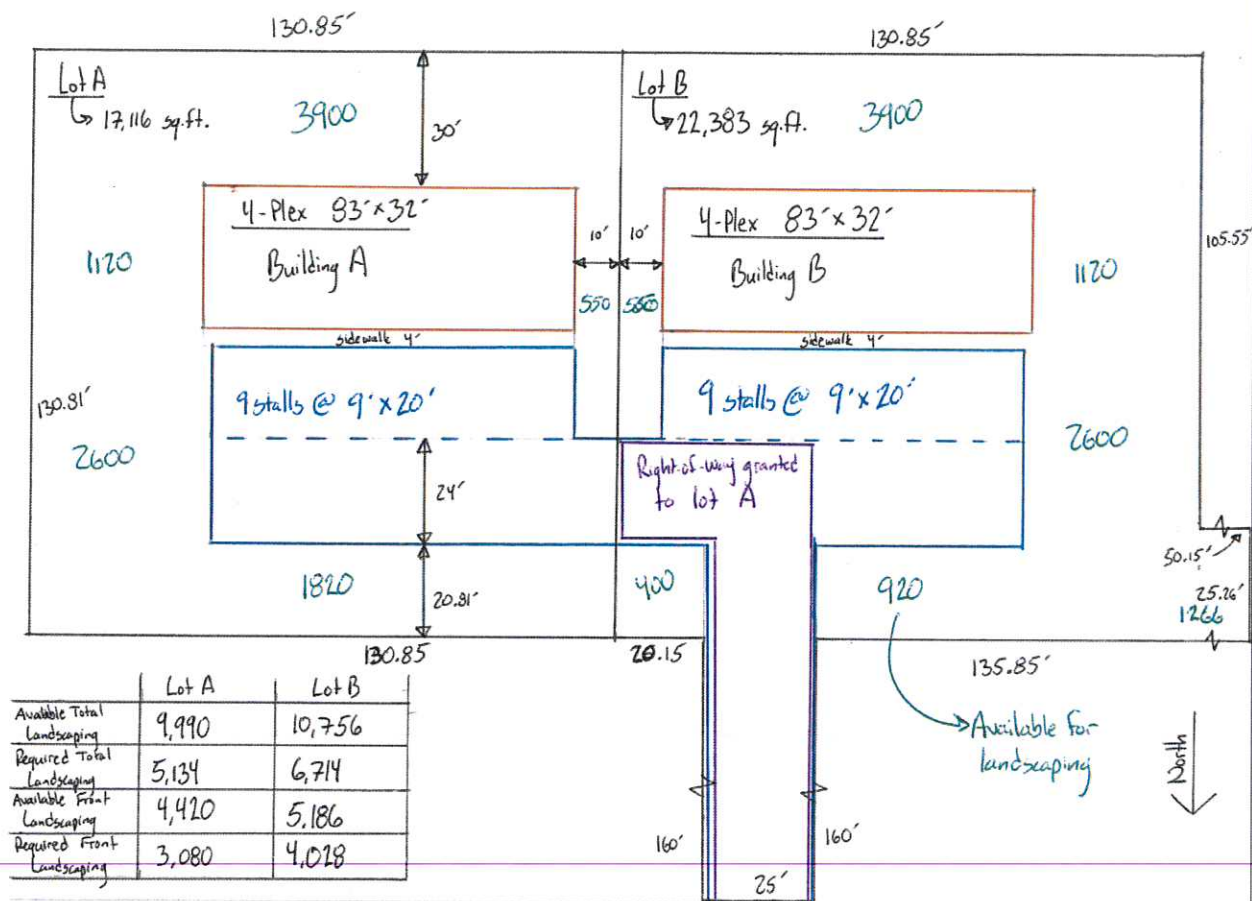
Area requirements:

R3 zone: 6,500 square feet for a single family, 9,000 square feet for a duplex, 10,000 square feet for a triplex and 12,000 square feet for a fourplex.

R4 zone: 6,500 square feet plus 1,500 square feet for each additional dwelling unit.

R3 Plan

1 of 1



ALL MINIMUMS SHOWN ARE MINIMUMS TO BE BUILDABLE, MORE COULD BE REQUIRED FOR SPECIFIC USES

Minimum Width Requirement: 65'

Proposed Width: 130.85'

COMPLIES

Minimum Area Requirement: 6,500 Sqft

Proposed Area: 17,116 sqft and 22,383 sqft

COMPLIES

Minimum 25' access

Less than 60' access

Can not be subdivided any other way

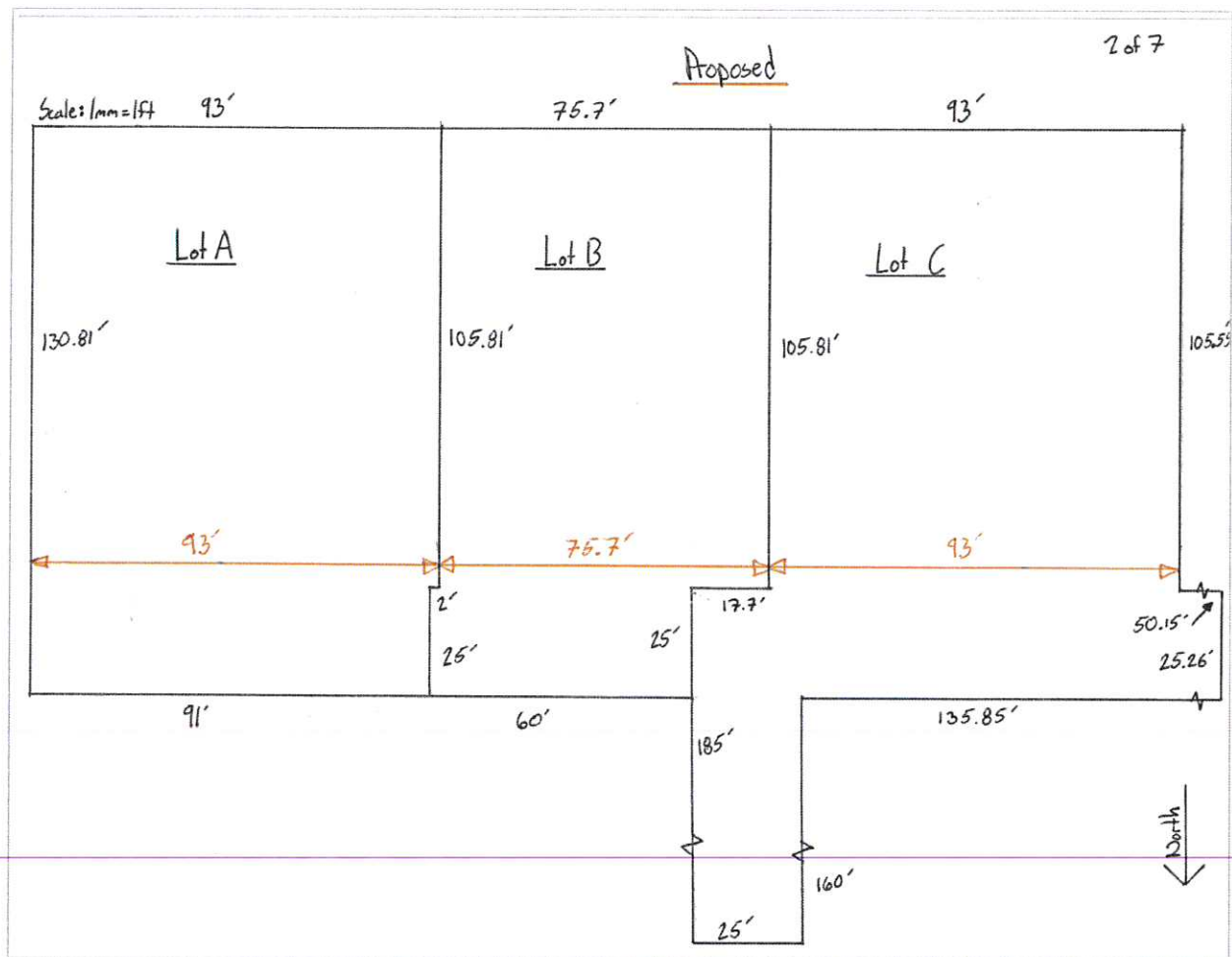
COMPLIES

COMPLIES

COMPLIES

BUILDING AND PARKING SHOWN ON PLAN NOT APPROVED WITH THIS APPLICATION, JUST SHOWN FOR REFERENCE

R4 Plan



ALL MINIMUMS SHOWN ARE MINIMUMS TO BE BUILDABLE, MORE COULD BE REQUIRED FOR SPECIFIC USES

Minimum Width Requirement: 65'

Proposed Width: 93' // 75.5' // 93'

COMPLIES

Minimum Area Requirement: 6,500 Sqft

Proposed Area: 12,115 sqft // 9,509 sqft // 17,874 sqft

COMPLIES

Minimum 25' access

Less than 60' access

Cannot be subdivided any other way

COMPLIES

COMPLIES

COMPLIES

- This parcel meets the size requirements for a building lot in RA-1
- This parcel meets the requirements of a flag lot
- This parcel is previously in existence as an agricultural lot and is going through the minor subdivision process to become a buildable lot.
- 24' all weather access strip will be required to access the home.



April 3, 2023

BID OPENING APRIL 3, 2023 10:00 AM

100 EAST BUILDINGS DEMOLITION

PRESENT:

Quinn Bennion, City Manager
Carl Morton, Finance Director
Keith Despain, Public Works Director
Roxanne Behunin, City Recorder
Scott Allred, Contractor

3 BIDS

Perez Company LLC, West Haven, Utah\$44,672.00
Grant Mackay Company, Bountiful, Utah\$252,716.00
Scott Allred Paving, Inc, Vernal, Utah\$39,700.00

ORDINANCE NO. 2023-06

AN ORDINANCE OF THE VERNAL CITY COUNCIL AMENDING THE VERNAL CITY PURCHASING POLICIES, AMENDING CHAPTERS 1.01 – PURCHASING GUIDELINES, 1.02 PROVISIONS, RULES & EXCEPTIONS RELATED TO ALL PURCHASING LEVELS AND 7.01 LOCAL VENDORS AND REPEALING CHAPTERS 2.02 PURCHASE OF SUPPLIES & SERVICES NOT EXCEEDING \$1000, 3.05 PURCHASING OF SUPPLIES EXCEEDING \$1000, 4.01 PETTY CASH, 5.05 PURCHASING OF ROLLING STOCK AND 6.02 FORMAL BIDDING PROCEDURES.

WHEREAS, the City Council finds that the purchasing policies of the City need to be updated to fit the needs of the City; and

WHEREAS, the policies of the City need to comply with any updated legislation; and

WHEREAS, the City Council deems it to be in the best interest of the health, safety and welfare of the citizens to incorporate the following changes to the provisions of the City's Purchasing Policy; and

WHEREAS, the City Council has received input from the public at large in a duly noticed open meeting and has considered and discussed the advantages and disadvantages of such regulation.

NOW THEREFORE, be it ordained by the Vernal City Council as follows:

SECTION 1. AMENDING CHAPTER 1.01 AS FOLLOWS:

CHAPTER 1.01 PURCHASING GUIDELINES

Section 1.01.010 Preface

~~Section 1.01.020 Personal Benefit.~~

Section 1.01.030 Prohibited acts; disciplinary action.

SECTION 2. AMENDING SECTION 1.01.010 AS FOLLOWS:

Section 1.01.010 Preface

This Policy Manual sets forth purchasing guidelines by which the Vernal City Departments will be administered. It is the purpose of this manual to provide all personnel of the City with the management information and procedural guidelines necessary to effectively make purchases of equipment, supplies and services for the ~~e~~City in the most efficient and economical manner possible. The provisions and policies set forth herein shall be administered through the Finance Department of Vernal City. (Amended 03/05/86, Res. 86-3, & 10/18/2000 Res. 2000-15)

SECTION 3. REPEALING SECTION 1.01.020:

Section 1.01.020 Personal Benefit

~~— No employee shall purchase goods or services for personal use or benefit in the name of Vernal City. — (Enacted 10/18/2000 Res. 2000-15)~~

SECTION 4. AMENDING SECTION 1.01.030 AS FOLLOWS:

Section 1.01.030 Prohibited acts; disciplinary action.

A. Collusion among bidders: Any agreement of collusion among bidders or prospective bidders to either buy or sell, in restraint of freedom of competition, be ~~in it~~ an agreement to bid a fixed price, or otherwise, shall render the bids of such bidders void and subject them to possible exclusion from future bidding ~~inger~~ with the City as determined by the Mayor to be in the best interest of the City.

B. Purchasing procedures: No officer or employee of the City shall make any purchase for or on behalf of the City of any material, goods, wares or supplies of any kind whatsoever except through purchasing procedures as specified in this Title. It shall be a breach of duty on the part of any officer or employee of the City to make any purchase in any manner other than through specified purchasing procedures unless prior authorization is received from the City Manager. If such purchases are made, the City shall not be bound and such officer or employee shall be personally responsible for payment. However, the provisions of this section shall not apply to emergency purchases and other purchases as provided in this Chapter.

C. Disclosure of formal bid contents: Any disclosure in advance of the opening of bids, of any information contained in sealed or formal bid, made or permitted by a City officer or employee may render bid void either by the City or the parties submitting bids. Appropriate disciplinary action shall be taken against both the persons revealing the information and the persons using the information. Notwithstanding anything in this Chapter to the contrary, all bids submitted by bidders taking advantage of any information revealed contrary to this section shall at once become null and void.

D. Personal benefit. No employee shall purchase goods or services for personal use or benefit in the name of Vernal City.

SECTION 5. ADDING CHAPTER 1.02 AS FOLLOWS:

CHAPTER 1.02 PROVISIONS, RULES AND EXCEPTIONS RELATED TO ALL PURCHASING LEVELS

Section 1.02.010 Provisions, Rules

Section 1.02.030 Municipal Building and Public Works Projects

SECTION 6. ADDING SECTION 1.02.010 AS FOLLOWS:

Section 1.02.010 Provisions, Rules

This directive sets forth certain provisions and exceptions of the general purchasing guidelines. These provisions are set to safeguard public funds and ensure strong and secure fiduciary practices. Purchases exceeding \$2000 shall not be purposely broken into two (2) or more smaller purchases to avoid the quotation requirements of this policy.

A. Purchasing levels:

1. Level 1 - Purchases up to \$2000. City employees and supervisors may

purchase goods, materials or supplies up to \$2000 including freight for items included in the annual budget. Items not listed in the annual budget in this price range may be approved by the City Manager.

2. Level 2 - Purchases of \$2000 up to \$10,000. Department Heads may authorize the purchase of goods, materials or supplies up to \$10,000 including freight for items included in the annual budget. Items not listed in the annual budget in this price range may be approved by the City Manager.

3. Level 3 - Purchases of \$10,000 up to \$25,000. The City Manager may authorize the purchase of goods, materials, supplies or services up to \$25,000 including freight for items included in the annual budget. Items in this price range not listed in the annual budget require City Council approval.

4. Level 4 - Purchases of items over \$25,000. This level requires City Council approval.

5. Professional services:

a. A "Professional services" means labor, effort, or work that requires specialized knowledge, expertise and discretion. These occupations include professions in the fields of, but not limited to, accounting, administrative law, architecture, construction design and management, engineering, financial services, information technology, law, medicine, psychiatry or underwriting.

b. Professional services shall be selected based on qualifications, availability and urgency. The process for selecting a professional vendor will be determined by the Department Head and City Manager. Departments are encouraged to use procurement procedures including letters of interest or request for qualifications (RFQ) if time allows and the project scope warrants such a process.

c. Professional services over \$10,000 shall require City Council approval. The City Council may determine the most responsible and advantageous offeror taking into consideration the price, availability and evaluation factors set forth in the request for proposals.

B. Provisions for purchasing under level 2 - 4.

1. Level 2 & 3 purchasing.

a. Employees will use a process to solicit quotes and should do their best to receive the best price for the City for materials and services by obtaining three (3) estimates / proposals from vendors.

b. Proposals can be solicited in any manner that the Department sees fit, but should match the request for proposals (RFP) as closely as possible. Consideration should generally be given to quotes that best match the RFP and have the best price points.

c. State bids can be used in exchange for quote solicitation to ensure the City is getting the best value for public funds. As with other bids, and quotes, care should be taken not to divulge amounts from separate vendors, including State bids.

d. Departments requesting an exception to this policy shall submit to the Finance Department a "Waiver of Price Quotation or Bids" form listing the reasons for the waiver to be approved by the Finance Director or City Manager.

2. Level 4 purchasing:

a. The Finance Department in conjunction with the purchasing department's

supervisor shall determine the most effective method in soliciting sealed bids for the purchase of these item(s), i.e., formal advertising, use of vendors or contractors list, etc. Local vendors and contractors, as defined in these policies, shall be invited to submit sealed bids in accordance with the procedures as determined by the Finance Department.

b. Once sealed bids are tabulated they will be presented to the City Council for consideration.

c. The City Council may determine who is the most responsible and the most advantageous offeror to the City taking into consideration price and the evaluation factors set forth in the request for proposals.

3. Purchase of vehicles and large motorized equipment.

a. The Department Head prepares specifications for the vehicle or large motorized unit with the advice from the Motor Pool Supervisor. Based on the estimated cost of the equipment, the department will follow the procedures for the specific level as listed in this policy.

b. It may, on occasion, be appropriate to purchase used equipment. Quotes or prices of similar vehicles or equipment must be gathered in this instance and compared to the item being considered. The purchase of used equipment will negate the formal bidding process. City Council approval is required for purchases of used equipment over \$25,000, or if it is not listed in the annual budget over \$10,000.

SECTION 7. ADDING SECTION 1.02.030 AS FOLLOWS:

Section 1.02.030 Municipal Building and Public Works Projects

A. Vernal City shall follow the requirements of UCA 11-39 (Building Improvements and Public Works Projects.)

B. In conjunction with the request to commence the bidding procedure for municipal building or public works projects the using Department shall submit all specifications, plans and documents related to the improvement to the City Manager and Finance Director along with an estimate of the cost as required.

1. The City Manager or Public Works Director shall review the specifications, assessing both the administrative and budgeting requirements for the implementation of the project.

2. The City Recorder's office shall properly advertise the solicitation of bids in compliance with State statute UCA 11-39.

3. All sealed bid specifications shall include:

a. The name of the project;

b. Supplies or equipment purchasing specifications;

c. Bid opening time and location;

d. Each notice shall indicate that the City may reject any or all bids submitted.

4. All bids shall be submitted to the Finance Department for holding until opening. At the designated time for bid opening the Finance Department shall assemble all sealed bids which have been received and verify that they are properly marked and sealed. No bids shall be accepted after the deadline. Late bids shall be

returned to the bidder unopened. The Finance Director or City Recorder or representative, shall be present to officiate, keep official record of the opening, and tabulate the bids.

C. Once sealed bids have been advertised and no bids were submitted, the City may re-advertise and extend the deadline to receive bids or work with vendors and contractors to solicit and negotiate proposals to complete the project.

D. If the initial bids of the building improvement or public works project exceeds the funding ability as determined by the City Manager or Department Head, the project may be re-bid at a later date.

E. If the initial bids of the building improvement or public works project exceed the bid limit and the City determines to proceed, the requirements of UCA 11-39-103, as reference, and the criteria outlined in this Section shall be followed.

For reference, a municipal building project in 2023 bid limit is \$60,499.76

A public works project bid limit for 2023 is \$187,032.78.

1. The City shall request bids again following the noticing requirements and indicate that the City may reject any or all bids submitted; and

2. Enter into a contract for completion of the project with the lowest responsive, responsible bidder as defined in UCA 11-39-101; or

3. Use the design-build method to select a contractor who satisfies the City's criteria related to financial strength, past performance, integrity, reliability and other factors used to assess the ability of the bidder to perform fully and in good faith the contract requirements for a design-build project.

F. If the building improvement or public works project is determined to be an emergency by the City Manager or Mayor the City may waive these requirements for emergency repairs or needs of the City.

SECTION 8. REPEALING TITLE 2 PURCHASE OF SUPPLIES IN ITS ENTIRETY AS FOLLOWS:

TITLE 2 PURCHASE OF SUPPLIES

CHAPTER 2.02 PURCHASE OF SUPPLIES & SERVICES NOT EXCEEDING \$100

SECTION 2.02.010 PURPOSE

SECTION 2.02.020 PROCEDURES & RESPONSIBILITIES HOW A PURCHASE IS MADE

SECTION 2.02.030 DEPARTMENT PROCEDURES & RESPONSIBILITIES APPROVAL FOR PAYMENT

SECTION 2.02.040 PROCEDURES & RESPONSIBILITIES PAYMENT TO VENDOR

SECTION 2.02.010 Purpose

The primary purpose of this directive is to set forth the specific step by step process for the acquisition of services and supplies, not exceeding \$1000 through the use of a purchase requisition.

SECTION 2.02.020 Procedures & Responsibilities How A Purchase Is Made

A. A Department employee presents to the Department's Purchasing Clerk a request for a purchase not exceeding \$1000.00 including freight.

~~— B. The Department Purchasing Clerk prepares a purchase requisition and obtains the Department Head's approval.~~

~~— C. Distribution of Purchase Requisition:~~

- ~~— 1. White — Finance Department~~
- ~~— 2. Yellow — Department Copy~~
- ~~— 3. Pink — Vendor Copy~~

~~— D. he employee now may make a purchase, giving the vendor the pink vendor copy of the purchase requisition.~~

~~— E. The employee shall obtain a receipt for the purchase from the vendor and return it to the Department's Purchasing Clerk and include the purchase requisition number on the ticket or invoice. (Amended 10/18/2000 Res. 2000-15)~~

SECTION 2.02.030 — Department Procedures & Responsibilities — Approval For Payment

~~— A. Direct purchases from local vendors:~~

- ~~— 1. Approval stamp is placed on the front of the white copy of the requisition.~~
- ~~— 2. Invoice copy or sales receipt is attached to the back of the requisition.~~
- ~~— 3. Department Head approves the purchase for payment and forwards the requisition & invoice to the finance department within 5 days of receipt of merchandise.~~

~~B. Direct purchases from non-local vendors:~~

- ~~— 1. Upon receipt of merchandise, attach the packing slip to the requisition, indicating that the merchandise has been received as ordered.~~
- ~~— 2. Approval by the department head should be stamped and signed on the front of the white copy of the requisition and forwarded to the finance department within 5 days of receipt of merchandise. Do not wait for an invoice at the end of the month.~~

~~(Enacted 10/18/2000 Res. 2000-15)~~

SECTION 2.02.040 — Procedures & Responsibilities — Payment To Vendor

~~A. Vendors or employees shall send to the Finance Department Accounts Payable Clerk invoices for purchase of services and supplies. The purchase requisition number must be on all invoices.~~

~~B. Finance Department Accounts Payable Clerk shall attach the invoice to the corresponding purchase requisition and make payment to the vendor. (Amended 10/18/2000 Res. 2000-15)~~

SECTION 9. REPEALING TITLE 3 – SUPPLIES EXCEEDING \$1000 IN ITS ENTIRETY AS FOLLOWS:

TITLE 3 — SUPPLIES EXCEEDING \$1000

CHAPTER 3.05 PURCHASE OF SUPPLIES & SERVICES EXCEEDING \$100

— SECTION 3.05.010 — PURPOSE

— SECTION 3.05.020 — PROCEDURES AND RESPONSIBILITIES

— SECTION 3.05.010 — Purpose

~~— To set forth the specific step by step process required for the acquisition of services,~~

~~supplies, commodities, and equipment with estimated costs exceeding \$1000 including freight, through the use of a regular purchase order system.
(Amended 10/18/2000 Res. 2000-15)~~

~~**Section 3.05.020 Procedures and Responsibilities**~~

~~A. It shall be the responsibility of all Vernal City Departments to exercise good forward planning in the anticipation of purchase requirements.~~

~~B. Purchase Requisitions shall be prepared, submitted and processed in the following manner:~~

~~1. Purchase requisitions for purchases between \$100 and \$5000 shall be completed by the Department and signed by the Department Head~~

~~a. Purchases between \$1000 and \$5,000 require at least 3 written quotations from three separate vendors to be attached to the request by the using Department. An effort should be made to assure that local vendors as defined in Chapter 7 of these policies are invited to submit written quotations~~

~~b. Purchases over \$5,000 shall be made through a sealed bidding process, such process to be administered by the Finance Department as outlined in Chapter 6.~~

~~c. Departments requesting an exception to this policy shall submit to the Finance Department a "Waiver of Price Quotation or Bid" form to be approved by the Finance Director~~

~~C. Municipal improvement projects, (construction projects) over \$1000, but less than \$25,000 require at least 3 written quotations from vendors to be attached to the request by the using Department. An effort should be made to assure that local vendors as defined in Chapter 7 of these policies are invited to submit written quotations.~~

~~a. Submit purchase requisition and bids and/or bid waiver to the Finance Department to obtain a purchase order prior to purchase. The purchase order number shall appear on the invoice for payment.~~

~~D. Professional services exceeding \$1000, but less than \$5,000, may be a negotiated contract or agreement and approved by the Mayor.~~

~~Purchases exceeding \$1000 shall not be purposely broken into (2) or more smaller purchases to avoid the quotation requirements of this Chapter.~~

~~E. Purchases made via State of Utah Contracts shall not require additional quotations. (Amended 03/05/86, Res. 86-3, 6/6/90, Res. 90-6, and 10/18/2000 Res. 2000-15)~~

SECTION 10. REPEALING TITLE 4 – PETTY CASH IN ITS ENTIRETY AS FOLLOWS:

~~**TITLE 4 – PETTY CASH**~~

~~**CHAPTER 4 – PETTY CASH**~~

~~**SECTION 4.01.010 PURPOSE**~~

~~**SECTION 4.01.020 USES**~~

~~**SECTION 4.01.030 PROCEDURES AND RESPONSIBILITIES**~~

~~**SECTION 4.01.010 Purpose**~~

~~The purpose of this directive is to identify the need for uses of petty cash and the step-by-step process for the request and receipt of petty cash for expenditures not exceeding ninety (\$90.00) dollars.~~

~~The intended use of petty cash disbursements shall not circumvent the normal purchasing processes of the City using purchase requisitions, purchase orders and check requests. (Amended 10/18/2000 Res. 2000-15)~~

~~**SECTION 4.01.020 Uses**~~

~~A. When the regular purchasing process will not facilitate purchases, i.e., no credit with vendor.~~

~~B. Where a purchase with petty cash is deemed to be more cost effective than the use of the regular purchase requisition. (Amended 03/05/86, Res. 86 and 10/18/2000 Res. 2000-15)~~

~~**SECTION 4.01.030 Procedures And Responsibilities**~~

~~A. Employees desiring to receive money from petty cash shall obtain a petty cash request slip from the Department Purchasing Clerk. (For per diem requests use the travel authorization form.)~~

~~B. The employee shall complete the slip and obtain the Department Head's approval.~~

~~C. The petty cash slip shall then be submitted to the Petty Cash Custodian in the Finance Department.~~

~~D. The Petty Cash Custodian shall dispense the amount of money requested within the ninety (\$90.00) dollar limits and within the intent of this section of this policy.~~

~~E. The employee shall return all receipts of purchase to the Petty Cash Custodian within 2 working days after the purchase is made and all unused petty cash for proper crediting. Receipts are not required for per diem.~~

~~F. The Petty Cash Custodian shall transfer all processed petty cash slips to the Finance Director for the proper recording of the expenditure.~~

~~G. After making an out of pocket purchase with Department Head approval for less than ninety (\$90.00) dollars, the employee must present an approved petty cash slip and cash ticket (receipt) to the Petty Cash Custodian for reimbursement. (Amended 03/05/86, Res. 86-3, and 10/18/2000 Res. 2000-15)~~

SECTION 11. REPEALING TITLE 5 – ROLLING STOCK IN ITS ENTIRETY AS FOLLOWS:

~~**TITLE 5 ROLLING STOCK**~~

~~**CHAPTER 5.05 PURCHASE OF ROLLING STOCK**~~

~~**SECTION 5.05.010 PURPOSE**~~

~~**SECTION 5.05.020 PROCEDURES & RESPONSIBILITIES**~~

~~**SECTION 5.05.010 Purpose**~~

~~The primary purpose of this directive is to set forth the step-by-step process for the acquisition of all new and used rolling stock.~~

~~(Enacted 10/18/2000 Res. 2000-15)~~

~~**SECTION 5.05.020 Procedures & Responsibilities**~~

~~— The purchase of rolling stock must be approved in the current year's budget or by action of the City Council.~~

~~— B. The Department Head prepares specifications for the equipment, with advice from the Motor Pool.~~

~~— C. Specifications for the equipment are approved by the appropriate Council Committee.~~

~~— D. After approval of the specifications by the Council Committee, the Finance Department initiates the bidding process.~~

~~— E. The bids are received, reviewed and certified by the Finance Department. The Department Head recommends award of bid to the Finance Department, and the recommendation is then presented to the Vernal City Council for approval.~~

~~— F. After approval from the City Council, the Finance Department prepares and submits a purchase order to the vendor.~~

~~— G. Upon its arrival and before any equipment is released for City service, the following must be met:~~

~~1. An inspection of the equipment is made to verify that it meets all specifications.~~

~~2. An inventory control record for the equipment is established.~~

~~3. The serial number or vehicle identification number of the equipment or vehicle is submitted to the City Recorder Finance and Motorpool Department for insurance coverage, issuance of a fuel card and registration and licensing. (Amended 03/05/86, Res. 86-3, and 10/18/2000 Res. 2000-15)~~

SECTION 12. REPEALING TITLE 6 –BIDDING IN ITS ENTIRETY AS FOLLOWS:

TITLE 6 BIDDING

CHAPTER 6.02 FORMAL BIDDING PROCEDURE

SECTION 6.02.010 PURPOSE

SECTION 6.02.020 PROCEDURES & RESPONSIBILITIES

SECTION 6.02.010 Purpose

~~The purpose of this directive is to set forth the bidding procedure for:~~

~~A. The purchase of supplies, materials, services and equipment exceeding the estimated cost of \$5,000.~~

~~B. Municipal building or public works projects exceeding the estimated cost as established under the provisions of UCA 11-39.~~

~~(Amended 10/18/2000 Res. 2000-15)~~

SECTION 6.02.020 Procedures & Responsibilities

~~A. Purchase of Supplies, materials, services and equipment exceeding the estimated cost of \$5,000:~~

~~1. In conjunction with submission of a purchase requisition for materials, supplies, services or equipment exceeding an estimated cost of \$5,000, the using Department shall also submit to the Finance Department detailed specifications of the item(s) to be purchased, (and a list of potential vendors)~~

- ~~2. The Finance Department shall determine the most effective method in soliciting sealed bids for the purchase of this item(s), i.e., formal advertising, use of vendors or contractors list, etc. Local vendors and contractors, as defined in Chapter 7 of these policies, shall be invited to submit sealed bids in accordance with the procedures as determined by the Finance Department. The using department shall provide written documentation why any local vendor or contractor has not submitted a sealed bid.~~
- ~~3. Purchases exceeding \$5,000 shall not be purposely broken into 2 or more smaller purchases to avoid the bidding requirements of this Chapter.~~
- ~~4. Departments requesting an exception to this policy shall submit to the Finance Department a "Waiver of Price Quotation or Bids" form listing the reasons for the waiver to be approved by the Finance Director.~~
- ~~5. Purchases made via State of Utah Contracts shall not require additional bidding. However, the requesting department shall submit to the Finance Department a "Waiver of Price Quotation or Bids" form listing the State Contract Number and Vendor Name as the reason for the waiver.~~
- ~~6. Professional services over \$5,000 shall require approval by the City Council.~~
- ~~B. Specifications for requested materials, supplies, services or equipment involving more than one department must be approved by both Department Heads by signature.~~
- ~~C. Municipal Building or Public Works Projects Exceeding an Estimated cost as established under the provisions of UCA 11-39-~~
- ~~1. In conjunction with the request to commence the bidding procedure for municipal building or public works projects exceeding the estimated cost as established under the provisions of UCA 11-39, the using Department shall submit to the City Manager all specifications, plans and documents related to the improvement project.~~
- ~~2. The City Manager shall review the specifications, assessing both administrative and budgeting requirements necessary for the implementation of the project.~~
- ~~3. After approving the specifications, the City Manager shall route the prepared bidding notice to the Finance Department.~~
- ~~4. The Finance Department City Recorder's office shall properly advertise the solicitation of bids in compliance with O.K. 11-39-103.~~
- ~~D. Bid Opening Procedure:~~
- ~~1. All sealed bid specifications accepted by Vernal City shall include the following:~~
- ~~a. Project, supply or equipment purchase specifications~~
- ~~b. Closing date for acceptance of bids~~
- ~~c. Bid opening time and location~~
- ~~2. All bids shall be submitted to the Finance Department for holding until opening.~~
- ~~3. At the designated time for bid opening, the Finance Department shall assemble all sealed bids which have been received and verify that they are all properly marked and sealed.~~
- ~~4. The following persons should be present to officiate:~~
- ~~a. Finance Department Representative~~

- ~~b. City Recorder or deputy recorder to keep official minutes and tabulate bids.~~
 - ~~c. Using Department Head~~
 - ~~d. Consultant (if used)~~
 - ~~5. At the exact time of bid opening, the Finance Department Representative shall bring the bid opening to order. No bids shall be accepted after this time. Late bids shall be returned to the bidder unopened.~~
 - ~~6. The Finance Department Representative shall briefly describe the bid opening procedure and then commence to read bids. Bid reading shall include:~~
 - ~~a. Name and town of bidder~~
 - ~~b. Whether or not bid bond is met (when applicable)~~
 - ~~c. Amount of bid~~
 - ~~d. Any exceptions to specifications~~
 - ~~7. After all bids have been read, the Finance Department Representative shall inquire for questions or further business. If none, the bid opening is adjourned.~~
 - ~~8. The using Department shall take custody of the bids to determine if the bids meet minimum specifications and to prepare an official recommendation for the acceptance of one bid.~~
 - ~~9. An official recommendation by the using Department Head for the acceptance of the lowest responsible bidder shall be made to the Finance Department.~~
 - ~~10. The Finance Department will then present the bid tabulation along with the department recommendation to the Vernal City Council for their approval. Purchase orders or contracts shall then be prepared based on City Council approval.~~
 - ~~E. Vernal City hereby adopts by reference Section 63G-6-408 of the Utah Code Annotated (UCA), Utah Procurement Code Proceeding, with Vernal City Council approval, for the procurement of supplies, services or construction of public facilities when it is determined that such procurement procedures are advantageous to Vernal City. The format and noticing requirement format for any request for proposals as provided under the provisions of UCA 63G-6-408 shall be determined by the City Council.~~
- ~~(Amended 3/5/86, Res. 86-3, 6/6/90, Res. 90-6 and 10/18/2000 Res. 2000-15)~~

SECTION 13. RENUMBER TITLE 7 – LOCAL VENDORS TO TITLE 2 – LOCAL VENDORS AS FOLLOWS:

TITLE ~~7~~ **2** LOCAL VENDORS

CHAPTER 7.01 ~~2.01~~ PREFERENCE TO LOCAL VENDORS

SECTION ~~7.01.010~~ **2.01.010** POLICY

SECTION ~~7.01.020~~ **2.01.020** PURPOSE AND OBJECTIVE

SECTION ~~7.01.030~~ **2.01.030** PROCEDURES AND RESPONSIBILITIES

SECTION ~~7.01.010~~ **2.01.010** Policy

Vernal City desires to procure from local persons, firms, associations, or corporations equipment, supplies, materials, services or construction necessary for the operation of the City, such acquisition based on adequate quality and economy.

SECTION ~~7.01.020~~ 2.01.020 PURPOSE AND OBJECTIVE

This directive establishes guidelines in order to provide preference to bids and quotations from local persons, firms, associations, or corporations where received or solicited in comparison with bids and quotations from non-local persons, firms, associations, or corporations for purchases or contracts not to exceed \$100,000.

In addition, any construction project and or contract as more specifically defined in Utah Code 11-39 and Chapter 1.02 of this code shall not be subject to the provisions of the local vendor preference.

SECTION ~~7.01.030~~ 2.01.030 PROCEDURES AND RESPONSIBILITIES

Vernal City shall, within guidelines established by the Vernal City Purchasing Ordinance and its policies and regulations prefer supplies, equipment, materials, or services, provided by responsible vendors to the extent set forth in the following subsections and based on the vendor's compliance with all specifications of the supplies, equipment, materials, or services to be purchased. ~~Any construction project and or contract as more specifically defined in Utah Code 11-39, Building Improvements and Public Works Projects, shall not be subject to the provisions of this Chapter 7.01—Preference to Local Vendors.—~~

A. If a quotation or bid for supplies, equipment, materials, or services, submitted in response to a quote, invitation or bid request, is the low bid price and there is a local, responsible vendor(s) as hereinafter defined whose bid or quote is within 5% of a low bid or quote of the non-local responsible vendor, such supplies, equipment, materials, or services, shall be purchased from the local responsible vendor.

B. ~~In the event that more than one local responsible vendor is within 5% of the low bid or quote of a non local responsible vendor, the award for purchase or contract shall be awarded to the lowest local vendor.~~ If there are two or more equally low local responsible vendors within 5% of the low bid of the non-local responsible vendor, then the local responsible vendor to be awarded the contract shall be selected ~~by lot.~~ based on the most advantageous vendor for the City.

C. Definitions: "Local Vendor" shall be defined as a person, firm, association, or corporation operating under a duly issued business license, whose principle place of business has been located within Daggett, Duchesne or Uintah Counties for more than thirty (30) days immediately before the bid was submitted or the quote given; or, in the case of a business which operates as a franchise or from multiple business locations, where such a business operating under a duly issued business license, has operated continuously within Daggett, Duchesne or Uintah Counties for more than thirty (30) days immediately preceding the submission of the bid or the quote from a fixed location within such Counties.

"Responsible vendor": A vendor who has proven by experience or information furnished to the satisfaction of the City that his or her current financial resources, production or service facilities, service or reputation, and experience are adequate to make satisfactory delivery of supplies acceptable quality, equipment or contractual services on which she or he bids; and who has not violated or attempted to violate any provisions of the Purchasing Policy.

SECTION 32: REPEALER CLAUSE: All former ordinances or parts thereof conflicting or

inconsistent with the provisions of this ordinance or of the code are hereby repealed.

SECTION 33: SEVERABILITY CLAUSE: The provisions of this ordinance shall be severable and if any provision thereof or the application of such provision under any circumstances is held invalid and it shall not affect the validity of any other provision of this ordinance or the application in a different circumstance.

SECTION 34: EFFECTIVE DATE: This Ordinance shall be in full force and effect the day after the required approval and publication according to law.

PASSED AND ADOPTED BY THE VERNAL COUNCIL THIS ____ DAY OF _____, 2023.

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Ted Munford	_____	_____	_____	_____
Councilmember Robin O'Driscoll	_____	_____	_____	_____
Councilmember Dave Everett	_____	_____	_____	_____
Councilmember Nick Porter	_____	_____	_____	_____
Councilmember Corey Foley	_____	_____	_____	_____

Presiding Officer

Attest

Mayor Doug Hammond

Roxanne Behunin, City Recorder

(S E A L)

	WHO HAS PURCHASING AUTHORITY? (Non-Professional Services)		
SIZE OF PURCHASE	OLD POLICY	NEW POLICY (BUDGETED)	NEW POLICY (NOT-BUDGETED)
LEVEL 1 - UP TO \$2,000	Department Head	Employees & Supervisors	City Manager
LEVEL 2 - \$2,000 - \$10,000	Department Head (up to \$5,000) _____ City Council (over \$5,000) (Sealed Bid)	Department Head (3 quotes)	City Manager (3 quotes)
LEVEL 3 - \$10,000 - \$25,000	City Council (Sealed Bid)	City Manager (3 quotes)	City Council (3 quotes)
LEVEL 4 - OVER \$25,000	City Council (Sealed Bid)	City Council (sealed bids)	City Council (sealed bids)

	WHO HAS PURCHASING AUTHORITY? (Professional Services)		
SIZE OF CONTRACT	OLD POLICY	NEW POLICY (BUDGETED)	NEW POLICY (NOT-BUDGETED)
UNDER \$10,000	Mayor (up to \$5,000) (mayor negotiates contract) City Council (over \$5,000)	City Manager (RFQ - encouraged)	City Council (RFQ - encouraged)
OVER \$10,000	City Council (method not identified)	City Council (RFP)	City Council (RFP)



Request for Proposals

Purchase of property / building at 43 S. 100 W.

Vernal City, UT

Released: _____, 2023

Due: _____, 2023

Invitation to Submit Proposals

Vernal City is soliciting proposals from potential purchasers for the city owned building in downtown Vernal at:

- 43 S. 100 W.

Responses to the RFP are due by **Friday, _____, 2023 at 4pm** (MST). A sealed proposal can be submitted via email at carlmorton@vernalcity.org or via mail or dropped off at:

Vernal City Hall
Attn: Proposal - 100 W. Building
374 East Main
Vernal, UT 84078

The buildings can be accessed by contacting Wayne Smith at wsmith@vernalcity.org or 435-218-1887. Wayne will meet you at the site to gain access inside the buildings.

Background - Vernal Downtown Revitalization Effort

Vernal City is in the process of revitalizing the downtown area with pedestrian-welcoming spaces and to enhance an environment for successful small businesses. Vernal City, along with numerous community partners, has developed a Downtown Plan to guide redevelopment and other efforts to accomplish these goals.

Information about the Downtown Plan and a link to the plan can be found on the City's website at [Vernal Downtown Plan | Vernal, UT \(vernalcity.org\)](https://www.vernalcity.org/Vernal-Downtown-Plan).

Vernal City purchased the property along 100 West with the purpose of developing a public parking lot. Now the parking lot plans are complete with construction in Summer 2023, the City is ready to return the commercial building back to private ownership.

The purchase process is a public process as Vernal City is a public entity and must follow Open Meetings laws. The proposals will be considered an open public record unless the Proposal includes specific business strategy information. In which case, the Proposal should indicate the protected record exclusion as contained in Utah Codes Annotated 63G-2-305.

Factors to Consider in Purchase Offer

The City purchased the two lots (0.62 acres) including the small building in 2019 for \$125,000.

The building is the exterior of this building is 39' x 25'. The interior of the south large room is 24.5' x 23.5'. The approximate square footage is 950 sq.ft.

The property is zoned CC1 - Central Commercial.

The building will be sold with a Warranty Deed through a local title company. The Parcel description is attached and includes 2,635 sq.ft. or 0.060 acres.

A Phase I environmental survey was not conducted when the City purchased the property in 2019. There are no known environmental concerns on the property or in the building. The selected purchaser may choose to initiate an environmental review during the due diligence period at its cost. The building will be sold "as-is".

Currently, the building is split into two lease areas:

- The North portion is rented to Lone Tree Acupuncture on a month to month basis. There is not a lease to assume when the property transfers ownership.
- The South portion is currently vacant.

The selling price includes half of the buyer's real estate fees, if applicable.

The building has one water meter, one sewer connection, one gas Dominion Energy meter and one RMP electric meter.

The property is within the newly formed downtown Community Reinvestment Area (CRA). The building is eligible for the downtown facade grant which reimburses up to 40% of exterior work.

The possibility exists to create a drive-through on the East side of the building. The installation of a drive-through lane would eliminate four public parking spaces in the parking lot to the south and north of the building.

The property is part of the newly created Special Assessment Area (SAA1) for the Zions block properties. Each property owner pays a monthly assessment on their water/sewer bill to pay for the maintenance of the public lot and walkway. The current assessment for the 43 S. 100 W. building is \$20 a month.

The new public improvements will include a shared trash dumpster enclosure. The properties on the block will share the dumpsters and either: (1) the City will pay the dumpster fee and charge on the water/ sewer bill or (2) the businesses will arrange and share the cost.

Attachment A	Legal description with Parcel 5 exhibit
Attachment B	Photos of exterior of building
Attachment C	Renderings of public improvements planned for Summer 2023

Proposal to Purchase

The City is using a Request for Proposal (RFP) process to sell the building and underlying property. The selection of the purchaser will not be based on the purchase price alone.

The purchase proposal should include the following components to be considered complete and as included on the submission form:

1. Submitters entity name, address, contact information
2. Proposed purchase price
3. Proposed use meets the current zoning.
4. Description of proposed improvements to the building, if any. Architectural renderings can be helpful but are not required as creating renderings can be expensive. Pictures or sketches of similar type projects will help illustrate the desired improvements.
5. Description of how the improvements align with the vision of the downtown Vernal Plan
6. Request for length of due diligence period and proposed closing date
7. General plan for financing the building (no details required)

8. Other items to be considered by the City Council

Additional Information - Q&A

1. Is it possible to place a drive-through as part of the building? No. City code requires that a drive-through have 40 feet of vehicle stacking within private property measured from the window. This distance is shorter than 40 feet to the south edge of the parcel.

Proposal Timeline

April ____, 2023	RFP released by City
_____, 2023	Site visit by request
_____, 2023	Proposals due by 4pm
_____, 2023, 6pm	Presentation / interview with City Council during work session
_____, 7pm	Council vote for preferred proposal
_____, 2023	Contract awarded at City Council meeting
_____, 2023	Approximate close date on the property or as proposed

Submittal Requirements

Proposers must submit one original copy of their proposal. Submittals are to be delivered in an envelope marked "Proposal - 100 West Building" and received at the City no later than Friday, _____, 2023 at 4:00 pm OR the Proposal can be emailed to carlmorton@vernalcity.org. It is the responsibility of the bidder to verify that the email submission was received.

Mailed or delivered proposals must be delivered to the following address:

Vernal City Hall
Attn: Proposal - 100 W. building
374 East Main
Vernal, UT 84078

Mailed responses that arrive after 4:00 pm on Friday, _____, 2023 will not be considered. Vernal City will not be responsible for delays in the mail system.

Selection Process and Evaluation Criteria

Vernal City Council will determine which proposal best meets the evaluation criteria. Each proposal will have an opportunity to present to the City Council during a Work Session meeting at 6pm on Wednesday, _____. The purchase proposals will be evaluated on the following criteria:

- Purchase offer - 50%
- Proposed improvements to the building and how it fits with the vision and goals of the downtown plan - 50%

The selected proposer will be required to enter a purchase agreement with the City with the terms outlined in the RFP and within their Purchase Proposal.

The City Council reserves the right to not accept any of the proposals. The City may rebid at another time or decide to keep the building or demolish the building.

Questions regarding this RFP should be directed to Quinn Bennion, City Manager, at qbennion@vernalcity.org